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STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer

FROM: Department of Business, Economic Development & Tourism
(Department/Division/Agency)

Pursuant to § 103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

Description of goods, services, or construction:

See attachment.

Name of Vendor: Hong Kong Business Association of Hawaii
Address: 745 Fort Street, Suite 1501
Honolulu, Hawaii 96813

Cost:
\$17,500.00

Term of Contract: From: Date of Approval To:
July 1, 2004 June 30, 2005

Prior Exemption Ref. No. (if applicable)

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

See attachment

Details of the process or procedure to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

A description of the agency's internal controls and approval requirements for the exempted procurement:

See attachment.

A list of agency personnel, by position title, who will be involved in the approval process and administration of the contract:

DBEDT Director, Theodore E. Liu
SMSD Administrator, Dennis T. Ling
IBAB Manager, Richard Bahar

Direct questions to:

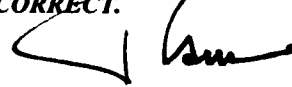
Richard Bahar

Phone Number:

587-2769

This exemption should be considered for list of exemptions attached to Chapter 3-120, HAR: Yes ☐ No ☒

***I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS, TO THE BEST OF MY KNOWLEDGE,
TRUE AND CORRECT.***



AUG 04 2004

Department Head or Designee

Date

Title (If other than Department Head)

Chief Procurement Officer's Comments:

This exemption is for the solicitation process only, Chapter 103D-310, HRS, shall apply.

Please ensure adherence to applicable administrative requirements.

☒ APPROVED

☐ DISAPPROVED



Chief Procurement Officer

8/16/04

Date

cc: Administrator,
State Procurement Office

Description of goods, services, or construction:

We are requesting an exemption because HKBAH has received contracts from DBEDT on a recurring basis.

This Agreement will implement plans and programs to export Hawaii's products and specialized services to the Pearl River Delta region, the Shanghai area and other targeted parts of Greater China. In order to sustain and grow their businesses, many Hawaii firms need new markets. Greater China—the fastest growing region in the world today—offers Hawaii firms opportunities for growth and long-term viability. This Agreement aims to utilize the talents, knowledge, and networks of a good cross-section of overseas Chinese living in Hawaii—for the benefit of the entire state. Through a series of matchmaking activities, seminars and workshops, Hawaii firms will be introduced to firms that seek products, services, education, training and Hawaii investment opportunities. HKBAH's membership includes immigration attorneys who are knowledgeable in promoting Hawaii's Immigration Investor Program, business brokers, real estate consultants, import-export firms and others who have a good technical understanding as well as a solid foundation on how to conduct business in both Greater China and Hawaii. HKBAH as an organization is very unique in many respects because much of its membership is comprised of individuals who have immigrated from Greater China but still maintain close contacts and business ties with the region. Furthermore, most of these individuals have become successful businesspeople and now seek to assist the larger community of Hawaii. There is no other business organization in Hawaii with the breadth and depth of contacts and knowledge of China that would also be willing to leverage these for the greater good of our state.

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

The HKBAH is a member of the Federation of Hong Kong Business Association, which has worldwide membership—particularly in Greater China. This membership also provides access to the resources of the Hong Kong Trade Development Council, and other worldwide Hong Kong Business Association which will in turn be used for the benefit of Hawaii's business community. No other organization exists in Hawaii that can leverage these assets. Further the HKBAH has an extremely active membership with unparalleled contacts throughout Greater China.

A description of the agency's internal controls and approval requirements for the exempted procurement:

The contractor will be asked to provide a detailed business plan that clearly defines deliverables and deadlines. Such a plan will include a list of key personnel and qualifications, an indication of the value provided to the larger Hawaii business community.

It should be noted that the current President of HKBAH, Ms. Laisin Lee is the spouse of a DBEDT employee. DBEDT's relationship with HKBAH predates Ms. Lee's election to her current position. Furthermore, Ms. Lee's spouse is a part of another Division in DBEDT. This LOA will be managed and monitored by the Strategic Marketing & Support Division. On 6/21/04 Attorney Virginia Chock of the State Ethics Commission indicated that she saw no ethics violations in contracting with HKBAH provided Ms. Lee's spouse has no involvement in the negotiation, management or implementation of the LOA.

STATE OF HAWAII

The Chief Procurement Officer is in the process of reviewing the request from the Department of _____
_____ for exemption from Chapter 103D, HRS, for the following goods, services, or construction:

Department of Business, Economic Development & Tourism (DBEDT)

Department of Business, Economic Development & Tourism (DBEDT)

Vendor: Hong Kong Business Association of Hawaii

**Address: 745 Fort Street, Suite 1501
Honolulu, Hawaii 96813**

Term of Contract:	From:	To:	Cost:
	July 1, 2004	June 30, 2005	\$17,500.00

Direct any inquiries to:

Department: **DBEDT**

Contact Name/Title: **Richard Bahar**

Address: 250 So. Hotel Street, Rm. 504

Phone Number:
587-2769

Fax Number:
587-2787

Date Posted: 8/6/04

A copy of this notice of exemption from Chapter 103D, HRS, shall be posted by the Chief Procurement Officer and the purchasing agency in an area accessible to the public, at least seven (7) calendar days prior to any approval action.

Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven (7) calendar days from the date posted to:

Chief Procurement Officer

Office/Agency _____

Address _____